

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Phong T. Dang

Application No. 10/764,402

Filed: January 23, 2004

**For: ELECTRICAL CONNECTOR
ASSEMBLY WITH
RECONFIGURABLE STRAIN
RELIEF**

Group Art Unit: 2833

Examiner: Edwin A. Leon

Date: September 26, 2005

RECEIVED Confirmation No. 9495
CENTRAL FAX CENTER**SEP 26 2005****PRE-APPEAL BRIEF REQUEST FOR REVIEW**

TO THE COMMISSIONER FOR PATENTS:

Applicant requests review of the final rejection of claims 1-5, 11-15, 21-25, and 30 in the Office action dated May 26, 2005 in the above-identified application.

This request is being filed with a Notice of Appeal.

Claims 1-30 are in the application, of which claims 1, 11, and 23 are in independent form. No amendments are being filed with this request.

Claims 1-5, 11-15, 21 stand rejected under 35 U.S.C. § 102(b) as anticipated U.S. Patent No. 5,385,484 of Bartle et al (prior art – Fig. 9). Claims 22-25 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bartle et al. in view of U.S. Patent No. 4,653,832 of Sanchez. Applicant believes the rejections are clearly in error and requests review.

Reasons for Requesting Review

The Office action contends that the strain relief shown in Figure 9 of Bartle et al. can be mounted in two different positions. In addition to the position shown in Figure 9, the Office action asserts that the upper casing 1 and lower casing 2 can be reversed, resulting in

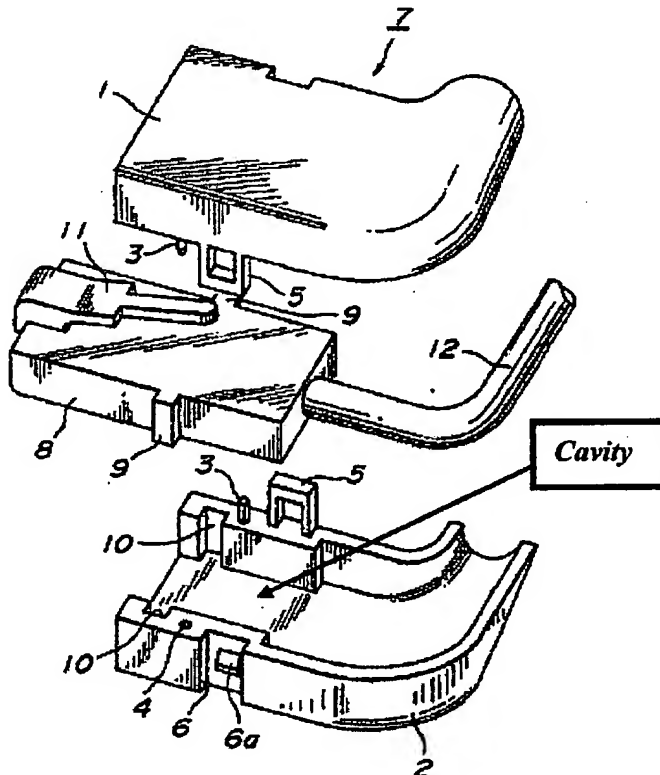
PortInd2-4533839.1 0045627-00006

the exit for the wire being on the opposite side. (May 26, 2005 Office action, p. 2). The examiner rebuts Applicant's arguments made in response to the previous Office action by stating that "[c]ontrary to applicant's allegations, this does not require the grooves 10 to also be in the upper casing 1 since the grooves 10 of the lower casing 2 will slide over the flanges 9 when it is assembled on top." *Id.*

Figure 9 of Bartle et al. is reproduced at right, with added reference to a "Cavity" discussed below.

The Office action assumes that the grooves of lower casing 2 will slide over the flanges 9 when the upper and lower casings are reversed. However, to do so, the "cavity" and grooves 10 of lower casing 2 would need to be deep enough to accommodate push lever 11, in addition to the thickness of the plug body 8. Bartle et al. does not specify whether the cavity and grooves 10 of lower casing 2 are deep enough to accommodate the added thickness of push lever 11.

Bartle et al. also does not indicate that upper casing 1 includes similar grooves for mating with flanges 9, and it appears that such grooves would be unnecessary, as the cavity of lower casing 2 appears to be just deep enough to accommodate the thickness of the plug body 8 in the position shown, allowing upper casing 1 (except peg 3 and locking projection 5 thereof) to remain above the upper surface of plug body 8. Since Bartle et al. does not teach of similar grooves in upper casing 1 or a cavity in lower casing 2 deep enough to accommodate the thickness of push lever 11, the Office action mistakenly asserts that upper



and lower casings 1 and 2 could be reversed and successfully coupled together in a configuration 180° reversed from the one shown in Figure 9.

Moreover, as argued by applicant in the April 11, 2005 amendment, the Bartle et al. patent itself expressly states at column 2, lines 5-10, that the construction of the cable cover of Figure 9 “*is limited to an L-shaped bend in one direction only* and several types must be made depending on which direction a cable 12 is to bend” (Bartle et al. at col. 2, ll. 5-10) (emphasis added). The May 26, 2005 Office action seems to ignore this express teaching of Bartle et al., which directly contradicts the Office action’s conclusion.


Nothing in Bartle et al. teaches a strain relief member that is “selectively mountable . . . in one of a plurality of . . . angularly offset positions”, as required by all of the independent claims in the present application. (See also April 11, 2005 Amendment at pp. 6-7). The Office action therefore fails to make out a prima facie case of unpatentability.

Applicant respectfully requests withdrawal of the rejections and allowance of the claims. Applicant also invites the Office to contact the undersigned attorney by telephone, in the event that any issues are believed to be outstanding.

Respectfully submitted,

Carlyle, Inc.

By


Kassim M. Ferris
Registration No. 39,974

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Attorney Docket No. 45627/6:1